

Fiscal Estimate - 2009 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 09-0136/7	Introduction Number AB-0578
Description Healthy and environmentally sensitive cleaning in certain buildings, providing an exemption from emergency rule procedures, and granting rule-making authority	
Fiscal Effect	
State:	
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No State Fiscal Effect</div><div style="width: 33%;"><input type="checkbox"/> Indeterminate</div><div style="width: 33%;"></div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;"><input type="checkbox"/> Increase Existing Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Increase Existing Revenues</div><div style="width: 33%;"><input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget</div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;"><input type="checkbox"/> Decrease Existing Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Decrease Existing Revenues</div><div style="width: 33%;"><div style="display: flex; justify-content: space-between;"><input type="checkbox"/> Yes<input checked="" type="checkbox"/> No</div></div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;"><input type="checkbox"/> Create New Appropriations</div><div style="width: 33%;"></div><div style="width: 33%;"><input type="checkbox"/> Decrease Costs</div></div>	
Local:	
<div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No Local Government Costs</div><div style="width: 33%;"><input checked="" type="checkbox"/> Indeterminate</div><div style="width: 33%;"></div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;">1. <input type="checkbox"/> Increase Costs</div><div style="width: 33%;">3. <input type="checkbox"/> Increase Revenue</div><div style="width: 33%;">5. Types of Local Government Units Affected</div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;"><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><input checked="" type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities</div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;">2. <input type="checkbox"/> Decrease Costs</div><div style="width: 33%;">4. <input type="checkbox"/> Decrease Revenue</div><div style="width: 33%;"><input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others</div></div> <div style="display: flex; flex-wrap: wrap; margin-top: 5px;"><div style="width: 33%;"><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts</div></div>	

Fiscal Estimate Narratives

DHS 11/19/2009

LRB Number	09-0136/7	Introduction Number	AB-0578	Estimate Type	Original
Description Healthy and environmentally sensitive cleaning in certain buildings, providing an exemption from emergency rule procedures, and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

AB 578 creates several requirements for the Department of Health Services.

1. The bill creates the Council on Healthy and Environmentally Sensitive Cleaning in the Department, composed of representatives of state government, a labor union, a producer of cleaning supplies, and a nurses' organization, as well as a health professional and students, parents of students, and staff from public and private schools. The Department is required to staff this Council.
2. This bill requires the Department, in consultation with the Council, to promulgate rules requiring the cleaning products used in certain local and state governmental buildings and public and private schools. The bill requires that the initial rule for this program must require schools and governmental agencies to use certain products for cleaning, as specified by this bill. These cleaning products must be approved by the Environmental Protection Agency (EPA) or by one of the following three private organizations: Green Seal, Inc., TerraChoice Environmental Marketing, Inc., or the Carpet and Rug Institute. The Department, when it writes the initial rules for the provisions in this bill, must require the use of a cleaning system approved by the Greenguard Environmental Institute.
3. AB 578 also provides that the Department may promulgate rules for other types of cleaning products provided that Green Seal, Inc., TerraChoice Environmental Marketing, Inc., or the EPA have adopted standards for this type of product. The bill also allows the Department to select other entities whose approval may be required for a type of product if the Department determines that the entity's standards promote environmentally sensitive cleaning.
4. The Department is required to provide information about the rules regarding cleaning supplies under this bill to school boards and governing bodies of charter schools and private schools.
5. The Department is required to maintain an internet site that shows which facilities have complied with the requirements of this legislation.

The Department does not currently administer a program similar to that required in AB 578. As a result, the provisions in this bill could not be incorporated into any existing departmental program. The increased workload which will result from this bill cannot be absorbed by the Department. The Department's licensing and inspection activities are funded from fees charged to the agencies which are licensed, and there would be no funding source to support the program created in this bill. The current licensing and inspection activities include oversight of restaurants, lodging and recreational facilities, x-ray equipment, radioactive materials and devices and the certification of lead and asbestos workers, food managers and environmental health professionals.

There are currently no staff with expertise in environmentally sensitive cleaning products in the Department. Data regarding which current products are environmentally hazardous is also lacking.

To carry out the provisions of this bill, the Department would initially require 1.0 FTE Environmental Health Specialist – Advanced to staff the advisory council, research and develop a registry of products, answer questions from affected agencies regarding compliance, and research, create and maintain the required website. The cost of the position would be \$72,100 GPR annually. It is possible that, after the rulemaking process is complete and the website is developed, the position could be reduced to .50 FTE in subsequent years. The cost of administering the Council is estimated to be \$2,000 GPR annually. Total costs of this bill are estimated to be \$74,100 GPR annually.

AB 578 also requires representatives of the agencies that will be affected by this bill, including schools and local governments, to ensure that the rules promulgated under the provisions of this bill are complied with.

Depending on the workload involved in ensuring compliance, this may result in a cost to the affected agencies which it is not possible to estimate.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 09-0136/7		Introduction Number AB-0578	
Description Healthy and environmentally sensitive cleaning in certain buildings, providing an exemption from emergency rule procedures, and granting rule-making authority			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$65,300	\$	
(FTE Position Changes)	(1.0 FTE)		
State Operations - Other Costs	8,800		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$74,100	\$	
B. State Costs by Source of Funds			
GPR	74,100		
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$	\$	
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$74,100	\$	
NET CHANGE IN REVENUE	\$	\$	
Agency/Prepared By		Authorized Signature	Date
DHS/ Ellen Hadidian (608) 266-8155		Andy Forsaith (608) 266-7684	11/19/2009